



2876

PATENT
ATTORNEY DOCKET NO.: 056103-5072-07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|----------------------------------|---|------------------------|
| In re Application of: |) | |
| |) | |
| Carl H. KNOWLES et al. |) | Confirmation No.: 2972 |
| |) | |
| Application No.: 09/346,859 |) | Group Art Unit: 2876 |
| |) | |
| Date Filed: July 2, 1999 |) | Examiner: A. Trail |
| |) | |
| Date Allowed: October 19, 2004 |) | |
| |) | |
| For: SYSTEM FOR READING BAR CODE |) | |
| SYMBOLS USING BAR |) | |
| CODE READERS HAVING RF SIGNAL |) | |
| TRANSMISSION LINKS WITH BASE |) | |
| STATIONS (AS AMENDED) |) | |

Commissioner for Patents
Alexandria, VA 22314

Sir:

**SUBMISSION OF REPLACEMENT COPIES OF
PAPERS MISSING FROM USPTO IMAGE FILE WRAPPER**

On August 3, 2004, the Examiner contacted Applicants' undersigned representative by telephone. During the telephone discussion, the Examiner explained that she believed that a Petition to Withdraw from Issue had been filed and granted, but the image file wrapper lacked copies of the Petition, its concurrent papers, and the Notice of Grant Petition. Accordingly, the Examiner requested that replacement copies of the papers subsequent to the Notice of Drawing Inconsistencies mailed February 24, 2005.

In accordance with the Examiner's request, Applicants undersigned representative submits the following items:

- Papers filed by Applicants on March 24, 2005
 1. Petition for Withdrawal from Issue under 37 C.F.R. § 1.313(c)(2)
 2. Request for Continued Examination (RCE) Transmittal
 3. Amendment and Response to Notice of Drawing Inconsistency with Specification
 4. Substitute Specification with Marked-up Version
- Date stamped postcard receipt evidencing filing of above papers on March 24, 2005
- Notice of Grant of Petition mailed by USPTO on March 29, 2005

Applicants' undersigned representative respectfully believes that this is a complete and accurate copy of the applicants' undersigned representative's record of all of the correspondence between the USPTO and applicants' undersigned representative subsequent to February 24, 2005 (i.e., the mailing date of the Notice of Drawing Inconsistencies).

Accordingly, Applicants respectfully request that the papers provided herewith be entered into the image file wrapper of the USPTO and that a favorable action on the merits be issued.

Respectfully submitted.

MORGAN, LEWIS & BOCKIUS LLP

Dated: August 5, 2005

By: _____



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MAR 29 2005

In re Application of
Carl H. Knowles et al
Application No. 09/346,859
Filed: July 2, 1999
Attorney Docket No. 056103.5072-07 ✓

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition, filed March 24, 2005, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on January 10, 2005 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (571) 272-3208.

The examiner of Technology Center AU 2876 will consider the request for continued examination under 37 CFR 1.114.

Karen Creasy

Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form **must** be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).

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MAR 31 2005

MORGAN, LEWIS & BOCKIUS LLP

DOCKETED

By LC Date 3/31/05

PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

In re Application of: Carl H. KNOWLES et al.

Application No.: 09/346,859

Date Filed: July 2, 1999

Date Allowed: October 19, 2004

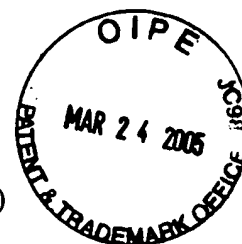
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SYMBOLS USING BAR CODE READERS
HAVING RF SIGNAL TRANSMISSION
LINKS WITH BASE STATIONS

) Confirmation No.: 2972

) Group Art Unit: 2876

) Examiner: A. Trail

) MAIL STOP 313(c)



1. Petition for Withdrawal from Issue under 37 C.F.R. § 1.313(c)(2)
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4. Substitute Specification with Marked-up Version

The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 in the amount of **\$900.00** (representing \$130.00 for the Petition for Withdrawal from Issue under 37 C.F.R. § 1.313(c)(2) fee and \$770.00 for the RCE filing fee.

Filed: March 24, 2005

Attorney Docket No.: 056103-5072-07

RJG2/tlp

DOCKETED
By LK Date 3/25